
HOUSE BILL 2834

State of Washington

57th Legislature

2002 Regular Session

By Representatives Schual-Berke, Campbell, Cody, Darneille, Conway, Edwards, Chase, Hunt and Pflug

Read first time 01/29/2002. Referred to Committee on Health Care.

1 AN ACT Relating to requiring a medication or treatment order as a
2 condition for children with life-threatening conditions to attend
3 public school; and adding a new section to chapter 28A.210 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 28A.210
6 RCW to read as follows:

7 (1) The attendance of every child at every public school in the
8 state shall be conditioned upon the presentation before or on each
9 child's first day of attendance at a particular school of a physician's
10 medication or treatment order addressing any life-threatening health
11 condition that the child has that may require medical services to be
12 performed at the school. Once such an order has been presented, the
13 child shall be allowed to attend school.

14 (2) The chief administrator of every public school shall prohibit
15 the further presence at the school for any and all purposes of each
16 child for whom a physician's medication or treatment order has not been
17 provided in accordance with this section if the child has a life-
18 threatening health condition that may require medical services to be
19 performed at the school and shall continue to prohibit the child's

1 presence until such order has been provided. The exclusion of a child
2 from a school shall be accomplished in accordance with rules of the
3 state board of education. Before excluding a child, each school shall
4 provide written notice to the parents or legal guardians of each child
5 or to the adults in loco parentis to each child, who is not in
6 compliance with the requirements of this section. The notice shall
7 include, but not be limited to, the following: (a) The requirements
8 established by this section; (b) the fact that the child will be
9 prohibited from further attendance at the school unless this section is
10 complied with; and (c) such procedural due process rights as are
11 established pursuant to this section.

12 (3) The state board of education shall adopt rules under chapter
13 34.05 RCW that establish the procedural and substantive due process
14 requirements governing the exclusion of children from public schools
15 under this section. The rules shall include any requirements under
16 applicable federal laws.

17 (4) The board of health shall adopt rules under chapter 34.05 RCW
18 that establish a definition of "life-threatening health condition" for
19 the purposes of this section.

20 (5) As used in this section, "physician's medication or treatment
21 order" means the authority a registered nurse obtains under RCW
22 18.79.260(2).

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